

Notice of Allowability

Application No.

10/694,455

Applicant(s)

ROSLER, PETER

Examiner

Art Unit

Ruth C. Rodriguez

3677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed on 24 February 2006.
2. ☒ The allowed claim(s) is/are 1,4-11 and 13-23 that will be renumbered 1-20 respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Regarding claim 1, German Patent Document DE 75 14 807 U1 (DE '807) discloses a locking mechanism comprising a first part, a second part and a blocking element. The first part defines a recess having a holding surface and a bottom surface. The second part cooperates with the first part in interlocking relationship. The second part defines a tongue that cooperates with the holding surface of the recess to secure the first part the second part. The second part is releasable from the first part by deflecting the tongue toward the bottom surface of the recess. The blocking element is located between the bottom surface of the first part and the tongue of the second part. The blocking element is severably connected to one of the tongue or the bottom surface of the recess by a connector that is severable such that the blocking element blocks the deflection of the tongue in the direction towards the bottom surface of the recess at times when the connector is unsevered. The blocking element is secured to one of the tongue or the bottom surface of the recess. The tongue is deflectable when the connector is severed and the blocking element is removed from between the tongue and the bottom surface. A tool that can sever the connector of the blocking element from the tongue of the second part or from the bottom surface of the recess of the first part. DE '807 fails to disclose that the blocking element defines sloped surfaces. Accordingly, it would not have been obvious to one having ordinary skill in the art at the time of Applicant's invention to have sloped surface provided on the blocking element

that serve as a guide to guide the blade of the tool towards an area of the blocking element adjacent to the bottom surface of the recess of the first part to thereby facilitate the removal of the blocking element in accordance with lines 23-28 of page 5 of the specifications.

For claim 21, DE '807) discloses a locking mechanism comprising a first part, a second part and a blocking element. The first part defines a recess having a holding surface and a bottom surface. The second part cooperates with the first part in interlocking relationship. The second part defines a tongue that cooperates with the holding surface of the recess to secure the first part the second part. The second part is releasable from the first part by deflecting the tongue toward the bottom surface of the recess. The blocking element is located between the bottom surface of the first part and the tongue of the second part. The blocking element is severably connected to one of the tongue or the bottom surface of the recess by a connector that is severable such that the blocking element blocks the deflection of the tongue in the direction towards the bottom surface of the recess at times when the connector is unsevered. The blocking element is secured to one of the tongue or the bottom surface of the recess. The tongue is deflectable when the connector is severed and the blocking element is removed from between the tongue and the bottom surface. DE '807 fails to disclose that the blocking element has a cross-section in the general shape of a triangle with one edge of the triangle being secured to one of the first part or the second part. Accordingly, it would not have been obvious to one having ordinary skill in the art at the time the invention was made to have blocking element has a cross-section in the

general shape of a triangle with one edge of the triangle being secured to one of the first part or the second part to thereby facilitate the removal of the blocking element since the triangle will guide the blade towards an area of the blocking element adjacent to the bottom surface of the recess of the first part in accordance with lines 23-28 of page 5 of the specifications.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C. Rodriguez whose telephone number is (571) 272-7070. The examiner can normally be reached on M-F 07:15 - 15:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075.


Submissions of your responses by facsimile transmission are encouraged. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-6640.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ruth C. Rodriguez
Patent Examiner
Art Unit 3677

rcr
March 17, 2006


ROBERT J. SANDY
PRIMARY EXAMINER